

Clyde R. Davenport & Ellen L. Davenport
5555 Thayer Lane
San Ramon, CA 94582

UNITED STATES DISTRICT COURT OF
NORTHERN DISTRICT OF CALIFORNIA

CLYDE R. DAVENPORT & ELLEN L.
DAVENPORT

Plaintiff,

vs.

WASHINGTON MUTUAL BANK, FA
ALL PERSONS KNOWN or Entities
Unknown, Claiming Any Legal Or
Equitable Right, Title
Estate, Lien or Interest In The
Property Described In the
Petition Adverse To Plaintiff
title, CLYDE R. DAVENPORT &
ELLEN L. DAVENPORT Or Any Cloud
upon Plaintiff's title thereto"

Defendant.

Pursuant to Rule 26, (a) (1) (B) and Rule 34 Plaintiffs Clyde R.

Davenport and Ellen L. Davenport hereby request that Defendants

Wamu and their Attorneys for Defendants JPMORGAN CHASE BANK,

N.A. WASHINGTON MUTUAL BANK, F.A. (please note: where discovery

requests are directed to a corporation, counsel for the

corporation is required to nominate officers of the corporation

to answer). Plaintiffs, Clyde R. Davenport and Ellen L.

2016 APR 28
CLERK OF DISTRICT COURT
N.D. CALIF.
JES
ENG

1 Davenport submit the following request for admissions to
2 Defendants WASHINGTON MUTUAL BANK FA. You are required to answer
3 each request for admissions separately and fully, in writing,
4 under oath, and to serve a copy of the responses upon Clyde R.
5 Davenport and Ellen L. Davenport within (30) days after service
6 of these requests for admissions.
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9 Instructions

10 These requests for admissions are directed toward all
11 information known or available to Clyde R. Davenport and Ellen
12 Davenport including information contained in the records and
13 documents in WASHINGTON MUTUAL BANK FA custody or control or
14 available to Clyde R. Davenport and Ellen Davenport upon
15 reasonable inquiry. Where requests for admissions cannot be
16 answered in full, they shall be answered as completely as
17 possible and incomplete answers shall be accompanied by a
18 specification of the reasons for the incompleteness of the
19 answer and of whatever actual knowledge is possessed with
20 respect to each unanswered or incompletely answered request
21 for admission.
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27 Requests for admissions
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Requests for admissions

First admission: Admit or deny that WASHINGTON MUTUAL BANK is not licensed to do business in California by virtue of being registered with the Secretary of State or the Secretary of State of Banking and nominating an agent for service of process. Without proof of being licensed to do business in California, WASHINGTON MUTUAL BANK lacks standing to bring suits in California courts depriving this court of subject matter jurisdiction.

Admitted____

Denied____

Second admission: Admit or deny that officers of WASHINGTON MUTUAL BANK have not reviewed each contract or agreement which involved a transfer, assignment, sale, exchange, pledge, loan servicing arrangement, or securitization of the Mortgage Loan since its creation.

Admitted____

Denied____

Third Admit or deny that WASHINGTON MUTUAL BANK rights and obligations with the California Secretary of State has been Surrendered since 09/2008 and still current as of present.

1 Denied____

2 Fourth: Admit or deny that WASHINGTON MUTUAL BANK FA complied
3 With AB 2341 allowed all "conditionally dissolved" corporations to
4 become dissolved without a tax clearance certificate. Even though a
5 corporation is dissolved, the corporation and its transferees remain
6 liable for any outstanding returns or tax liabilities per Cal. Code of
7 Regs. §23151.
8

9 Admitted____

10 Denied____

11 Fifth: Admit or deny that WASHINGTON MUTUAL BANK FA complied with
12 California Corporations Code section 2112. Upon the filing of the
13 Certificate of Surrender by the Secretary of State, the foreign
14 corporation will be completely surrendered and the corporate rights,
15 powers and privileges of the corporation will cease in California.
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17 Admitted____

18 Denied____

19 Sixth: Admit or deny that WASHINGTON MUTUAL BANK FA complied with
20 Section 23332 of the Revenue and Taxation Code, has been or will
21 be filed with the Franchise Tax Board, as required under Part
22 10.2 (commencing with Section 18401) of Division 2 of the
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1 Revenue and Taxation Code.

2 Admitted____

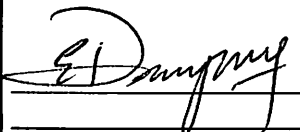
3 Denied____

4 Seventh Admit or deny that officers of WASHINGTON MUTUAL BANK FA
5 know and understand that attorneys who purchase evidence of debt
6 and then file lawsuits in the name of the original maker of the
7 debt are committing felony fraud. This admission is necessary to
8 show that WASHINGTON MUTUAL BANK FA is involved in racketeering
9 and Tax Evasion.

10 Admitted____

11 Denied____

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17 This court is further noticed: at least one officer from
18 WASHINGTON MUTUAL BANK FA must be identified as the author of
19 admissions - statements of counsel are not facts before the
20 court.

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26  4/28/2016
27
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1 Print name title Officer of WASHINGTON MUTUAL BANK FA State of
2 _____ County of

3 _____ Before me this day appeared
4 _____, known to me as

5 the person who made the above and foregoing statements of his
6 own free will.

7 My commission expires _____

8 Notary Prepared and submitted by: _____

9
10 Clyde R. Davenport and Ellen L. Davenport

11 Certificate of service.

12 I, Clyde R. Davenport and Ellen L. Davenport, certify that

13 _____, 2016, I mailed a true and correct
14 copy of the above and foregoing request for admissions via
15 certified mail, return receipt.
16

17 requested to:
18 Clyde R. Davenport & Ellen L. Davenport
19 5555 Thayer Lane
20 San Ramon, CA 94582
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PROOF OF SERVICE BY MAIL
C.C.P. 1013a

I declare that I am a resident of or employed in the County of Contra Costa, California. I am over the age of 18 years and not a party to the within entitled cause. The name and address of my residence or business is 3527 Mt Diablo Blvd., #376, Lafayette, CA 94549

I am readily familiar with the ordinary practice of the business of collecting, processing and depositing correspondence in the United States Postal Service and that the correspondence will be deposited the same day with postage thereon fully prepaid.


On 04/28/2016, I served the Motion Compel to Discovery

on the parties listed below by placing a true copy thereof enclosed in a sealed envelope for collection and mailing in the United States Postal Service following ordinary business practices at Contra Costa, California addressed as follows:

Joseph E Addiego III
Mary McNeill
DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street, Suite 800
San Francisco CA 94111

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 04/28/2016, at Lafayette, California.

Angela Leung
(Type or print name)


(Signature)